

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

AMELIA ROSKIN-FRAZEE,

Plaintiff,

v.

COLUMBIA UNIVERSITY,

Defendant.

Case No. 1:17-cv-02032

**NOTICE OF SETTLEMENT ON APPEAL
AND JOINT MOTION FOR INDICATIVE RULING
TO EFFECT TERMS OF SETTLEMENT**

The parties hereby provide notice of their settlement of the appeal of this action, which includes a joint request to take certain action necessary to effectuate the settlement. Accordingly, pursuant to Rule 62.1 of the Federal Rules of Civil Procedure, the parties jointly request an indicative ruling that the Court will, upon remand from the United States Court of Appeals for the Second Circuit, proceed with such requested action.

In a mediation conducted by the Court of Appeals on July 11, 2018, the parties reached a settlement agreement, the terms of which require an application to this Court. Specifically, one of the terms of settlement is that the parties submit this joint motion to seek an indicative ruling from the Court regarding a single question: whether, at the parties' joint request, it would agree to amend its February 21, 2018 Memorandum Decision and Order to provide that Defendant's motion to dismiss is granted *without prejudice and with leave to replead*, while also

preserving without limitation Defendant's right to seek dismissal of any subsequently-filed amended complaint.

Therefore, the parties respectfully request that the Court enter the attached proposed Order indicating that it will accept a limited remand from the Court of Appeals and proceed to amend the February 21, 2018 Memorandum Decision and Order as just described above.

Dated: July 16, 2018
New York, New York



Alexander S. Zalkin
THE ZALKIN LAW FIRM, P.C.
12555 High Bluff Drive, Suite 301
San Diego, CA 92130
Tel: (858) 259-3011
alex@zalkin.com

Attorney for Plaintiff
Amelia Roskin-Frazee



Roberta A. Kaplan
KAPLAN HECKER & FINK LLP
350 Fifth Avenue, Suite 7110
New York, NY 10118
Tel: (212) 763-0883
rkaplan@kaplanhecker.com

Michele S. Hirshman
Darren W. Johnson
PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP
1285 Avenue of the Americas
New York, NY 10019
Tel: (212) 373-3000
mhirshman@paulweiss.com
djohnson@paulweiss.com

Attorneys for Defendant
The Trustees of Columbia University in
the City of New York